

Applicant: Dörrie et al.
Application No.: 10/694,588

IN THE DRAWINGS

The attached drawing sheets consist of two replacement sheets containing Figs. 14a, 16 and 17. These sheets replace the original and previously presented sheets including Figs. 14a, 16 and 17. In Fig. 16, reference symbol $\phi/2$ was added. In Fig. 14a reference numbers 15, 47 were added.

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REMARKS/ARGUMENTS

After the foregoing Amendment, claims 6 - 9, 11 - 21 and 23 - 27 are currently pending in this application. Claims 1-5 have been canceled without prejudice. Claim 22 has been withdrawn from consideration as drawn to a non-elected species. Claims 6, 9, 12, 13, 16, 18, 23, and 24 have been amended and claims 26 and 27 have been added. No new matter has been added by the amended and added claims.

In the Action, the drawings were objected to for the following reasons:

- a. Figure 14a includes an unnumbered lead line. The attached replacement drawing sheets include a corrected Figure 14a having the appropriate reference numbers.
- b. It is alleged that the elected species fails to show a "perforated cap", the Examiner asserting that "[t]he detail indicated by numeral 48 in Figs. [sic.] 14 looks like the cross section of a washer, not a cap" Applicants respectfully submit that they are permitted consistent with 35 USC 112 to be their own lexicographer so long as terms in the claim(s) are not given meanings repugnant to the usual meanings of those terms. See *Barry Fiala, Inc. v Card USA, Inc.* (2003, WD Tenn) 292 F Supp 2d 1009, *In re Hill*, 161 F.2d 367, 73 USPQ 482 (CCPA 1947), *MPEP* § 706.03(d). Applicants submit that the use of term "perforated cap" is not at all

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repugnant to the common accepted usage since the perforated cap caps an end of the clamping bodies and is in fact perforated.

- c. Reference numerals 40 and 50 share a lead line in Figure 14a. Paragraph [0063] of the amended specification recites “the actuator 40 includes the tongue 50” (this amendment finds support in at least paragraph [0022] of the original application). In view of this indication, Applicants respectfully submit that it is appropriate that reference numerals 40 and 50 share a lead line.
- d. The term “cut-out segment” was used on page 15, line 27 to correspond to reference numeral 49. Reference numeral 49 is now described as a “ring-shaped segment” in the specification as amended.
- e. It is alleged that reference character ϕ does not appear in the drawings. Applicants refer the Examiner to original Figure 16 which shows reference character ϕ . Figure 16 is referenced in paragraphs [0055] and [0062] of the original application in describing this reference character.
- f. It is alleged that reference character $\phi/2$ does not appear in the drawings. Applicants refer the Examiner to corrected Figure 16 in Replacement Drawing sheet 9 which shows reference character $\phi/2$.

Applicants respectfully request withdrawal of the objections to the drawings.

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In the Action, the Specification was objected to for minor informalities which have been addressed by the amendments to the Specification set forth above. Also it was indicated that the Specification failed to provide proper antecedent basis for the recitation: "the clamping rings are formed sheet metal parts" in claims 1 and 9. Applicants refer the Examiner to paragraph 0012, lines 1-2 and paragraph 0017, line 1 of the original application which clearly recite this feature. In the amendments set forth above, Applicants have also added the recitation of this feature to the Detailed Description in paragraph 0057. Accordingly, Applicants respectfully request withdrawal of the rejections to the Specification.

The claims were objected to for allegedly failing to comply with 37 CFR 1.75(i) because claim elements were not separated by line indentations. The claims have been amended to add line indentations where appropriate, and Applicants respectfully request withdrawal of this objection to the claims.

Claims 24 and 25 were rejected under 35 USC 112, first paragraph, as allegedly failing to comply with the written description requirement. It is alleged in the Action that the recitation in claim 24 of "an actuating element on a perforated cap" is unsupported. It is also alleged that the recitation in claim 25 of "[a] tongue [which] extends longitudinally" is unsupported and that such recitation is contrary to the recitation in claim 24 that the tongue "protrudes radially".

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Applicant refers the Examiner to paragraph [0020] of the original application which states:

..the second retainer is preferably a perforated cap. The perforated cap holds to the clamping body longitudinally in one direction, surrounding the axis of rotation. A further provision of the design is that the perforated cap be outfitted with at least one tongue coming off it.

Paragraph [0022] of the original application further recites:

[T]he actuating element may be a longitudinal tongue extending in a longitudinal direction away from the second clamping ring, and built from the second clamping ring.

Applicants respectfully submit that from the disclosure of at least paragraphs 0020 and 0022 of the original application, the Examiner-noted recitations of claims 24 and 25 are clearly supported. Further, Applicants respectfully submit that the recitation "the tongue extends longitudinally" in claim 25 is not inconsistent with any other recitations in the application. Applicants note that the substantive portions of the original Application are translated from the original German Priority application, and some word usage may appear therefore unconventional. Claim 24 and the corresponding portion of the Specification have been amended to recite "a

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tongue protruding from the perforated cap at a radial portion thereof", which recitation is entirely supported by the original drawings and the Specification. For clarity, the Detailed Description has been further amended herein to incorporate disclosure originally present in other parts of the Specification and shown in the Drawings.

Claims 5, 13, 18-20, and 23-25 were rejected under 35 USC 112, second paragraph, as being indefinite. Claim 5 has been canceled without prejudice and claims 13, 18 and 23 have been amended to provide proper antecedent basis for all claim limitations. Claim 24 has been amended to reconcile Examiner-cited clarity issues.

In the Action, it was indicated that claims 12, 13, and 18-20 would be allowable if rewritten to overcome rejections under 35 USC 112, 2nd paragraph and to include all limitations of their base claim and any intervening claims. Claims 12 and 18 have been amended accordingly; claims 13, 19, and 20 depend from one of claims 12 and 18. In view of the amendments made, Applicants respectfully request that the objections and rejections to claims 12, 13, and 18-20 be withdrawn. Claims 6-8 and 26-27 depend from claim 12 or claim 18, and therefore, these claims should also be allowable.

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In the Action, no explanation regarding the status of claims 15-17 was provided. Applicants respectfully request that pursuant to MPEP 707.07, the Examiner provide an explanation regarding the status of these claims.

Claims 1, 2, 6, 9, 10, 11, 14, 21 and 23 were rejected under 35 USC 102(b) as being anticipated by U.S. Patent No. 5,511,642 (Klotz et al.). Applicants respectfully traverse this rejection. This rejection is moot with respect to canceled claims 1, 2 and 10. This rejection is also moot with respect to claim 6 which, as amended, depends from allowable claim 12.

Klotz et al. clearly fail to suggest or disclose clamping rings formed of sheet metal parts, as recited in independent claim 9. In the Action, the Examiner indicates that Klotz et al. show clamping rings 86 & 90 made of formed sheet metal in Figures 1 and 3. Applicants respectfully disagree with this contention. Clamping rings 86, 90 include a plurality of sharp cornered, three dimensional features (88, 102, 104) which could not be formed using known sheet metal cutting and forming methods. Such clamping rings 86, 90 could however be formed using a casting process for example. Accordingly, claim 9 should be allowable. Claims 11, 14-17, 21-25 depend from claim 9 and therefore should also be allowable.

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Withdrawal of the Section 102 rejection citing Klotz et al. is respectfully requested.

Claims 23-35 are further patentable over the cited references since none of the cited references suggest or disclose an actuating element formed separately from the clamping bodies held longitudinally of the first clamping ring in at least one longitudinal direction of the axis of rotation. Klotz, for example, merely discloses wedged teeth 88 on an inner race 86. No separately formed actuating element is disclosed in any of the cited references.

If the Examiner believes that any additional minor formal matters need to be addressed in order to place this application in condition for allowance, or that a telephone interview will help to materially advance the prosecution of this application, the Examiner is invited to contact the undersigned by telephone at the Examiner's convenience.

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In view of the foregoing amendment and remarks, Applicants respectfully submit that the present application, including claims 6 - 9; 11 - 21 and 23 - 27, is in condition for allowance and a notice to that effect is respectfully requested.

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By



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Enclosures (2)